



Receipt

PATENT  
Attorney Docket No.: DIVER1140-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Jay M. Short

Application No.: 09/663,620

Filed: September 15, 2000

For: COMBINATORIAL SCREENING OF  
MIXED POPULATIONS OF  
ORGANISMS

) Group Art Unit: 1645  
)  
) Examiner: Unassigned

) CERTIFICATION UNDER 37 CFR § 1.8

) I hereby certify that the documents referred to as  
) enclosed herein are being deposited with the United  
) States Postal Service as first class mail on this date,  
) January 10, 2001, in an envelope addressed to:  
) Commissioner for Patents, Washington, D.C. 20231

) John Dorsey

) (Name of person mailing paper)

) John Dorsey

) Signature

January 10, 2001  
Date

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,  
please find the following:

- (1) Request for Corrected Filing Receipt;
- (2) Filing Receipt reflecting changes;
- (3) Copy of the patent application transmittal letter; and
- (4) Return postcard.

In re Application of:

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PATENT

Attorney Docket No.: DIVER1140-3

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date:

1/10/01



Lisa A. Haile, Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

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GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, California 92121-2189



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Attorney Docket No.: DIVER1140-3

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Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

In re Application of:  
Jay M. Short  
Application No.: 09/663,620  
Filed: September 15, 2000  
Page 2

PATENT  
Attorney Docket No.: DIVER1140-3

Please correct the Continuing Data:

In the second line of the Continuing Data please delete "May 22, 1996" and Replace with  
**--May 5, 1996--.**

After PAT 5,939,250, please add **--which claims priority under 35 U.S.C. §119(e) to U.S. Provisional Application Serial No. 60/008,316, filed December 7, 1995, which is a continuation-in-part of U.S. Application Serial No. 09/535,754, filed March 27, 2000.--**

Applicant accordingly requests the correction be made of record.

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: 1/10/01



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September 15, 2000

Attorney Docket No.: DIVER1140-3

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new continuation-in-part patent application of:

APPLICANTS: JAY M. SHORT

TITLE: COMBINATORIAL SCREENING OF MIXED POPULATIONS OF ORGANISMS

Under 35 USC § 120, this application claims the benefit of prior U.S. Application Serial No. 09/375,605, filed August 17, 1999, which is a continuation of U.S. Application Serial No. 08/651,568, filed May 5, 1996, issued as U.S. Patent No. 5,939,250, which claims priority under 35 U.S.C. § 119(e) to U.S. Provisional Application Serial No. 60/008,316, filed December 7, 1995. This application is also a continuation-in-part of U.S. Application Serial No. 09/535,754, filed March 27, 2000, all of the disclosures of which are incorporated herein by reference in their entirety.

Enclosed are the following papers, including all those required for a filing date under 37 CFR § 1.53(b):

Pages of Specification	100
Pages of Claims	10
Pages of Abstract	1
Pages of Declaration	2 (unsigned)

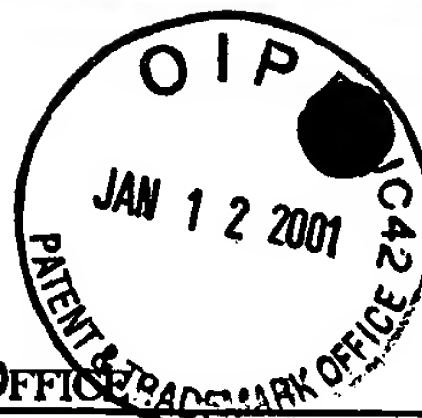
"EXPRESS MAIL" Mailing Label Number: EL476995895US  
Deposit September 15, 2000  
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231

*Mikhail Bayley*  
MIKHAIL BAYLEY

Gray Cary\GT\6201930.1  
104703-990000



UNITED STATES PATENT AND TRADEMARK OFFICE



104703-15  
CCCP1 (YA)

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/663,620	09/15/2000	1645	0	DIVER1140-3		62	12

Lisa A Haile  
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4365 Executive Drive  
Suite 1600  
San Diego, CA 92121-2189

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DEC 26 2000

GRAYCARY/GT PATENT

# FILING RECEIPT



\*OC000000005622828\*

Date Mailed: 12/15/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jay M. Short, Rancho Santa Fe, CA ;

## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/375,605 08/17/1999  
WHICH IS A CON OF 08/651,568 05/22/1996 PAT 5,939,250

5/5/1996

## Foreign Applications

If Required, Foreign Filing License Granted 12/15/2000

\*\* SMALL ENTITY \*\*

## Title

Combinatorial screening of mixed populations of organisms

## Preliminary Class

435

WHICH CLAIMS PRIORITY OF  
U.S. PROVISIONAL APPL. SERIAL  
NO 60/008,316, FILED 12-7-95.  
THIS APPL. IS ALSO A CIP OF U.S.  
APPL. SERIAL NO 09/535,754  
FILED 3-27-00.

Data entry by : WYATT, DEBRA

Team : OIPE

Date: 12/15/2000





**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:



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Customer Service Center  
Washington, DC 20231